

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#); [Leidy, Robert](#)
Subject: RE: Call with Rosemont at 1:00 today (UNCLASSIFIED)
Date: Thursday, March 20, 2014 11:52:00 AM

Absolutely. Can you provide a call-in number?

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Thursday, March 20, 2014 11:48 AM
To: Brush, Jason; Leidy, Robert
Subject: Call with Rosemont at 1:00 today (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

As Rosemont plans to include Mike Josselyn in a phone call today, it might be helpful if we could have Rob Leidy join our call too. (b)(5) - deliberative

[REDACTED]

Let me know if he or you would be available to joint that call today at 1:00.

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

David.J.Castanon@usace.army.mil

☎ (213) 452-3406 Office

☎ (805) 358-9850 Cell

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Classification: UNCLASSIFIED

Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#); [Greczmiel, Horst](#)
Cc: [Diebolt, Sallie SPL](#); [Blaine, Marjorie E SPL](#); [Diamond, Jane](#); [Martynowicz, Trina](#)
Bcc: [Goldmann, Elizabeth](#); [Leidy, Robert](#); [Jessop, Carter](#); [Goforth, Kathleen](#); [Evans, David](#); [Miller, Clay](#); [Kaiser, Russell](#); [Flannery-Keith, Erin](#)
Subject: RE: Corps Mitigation Process (UNCLASSIFIED)
Date: Friday, January 24, 2014 6:24:00 PM

Dave –I was out with a sick kid yesterday and missed your message below. But wanted to say that my team and I very much appreciate you articulating these steps for the group. Personally, I appreciate the several places you’ve acknowledged EPA review in the process ahead, as well as the recognition that the currently proposed sites do not hold enough potential on their own to meet the applicant’s mitigation needs.

Have a good weekend, and I look forward to seeing you next week.

Jason

Jason A. Brush
Supervisor, Wetlands Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street (WTR-8)
San Francisco, CA 94105

~~~~~

desk: 415.972.3483

fax: 415.947.3537

~~~~~

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Thursday, January 23, 2014 3:37 PM
To: Greczmiel, Horst
Cc: Diebolt, Sallie SPL; Blaine, Marjorie E SPL; Brush, Jason
Subject: Corps Mitigation Process (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Horst,

For tomorrow’s call, you wanted participants to have a more robust discussion on mitigation. (b)(5) - deliberative

[REDACTED]

[REDACTED]

(b)(5) - deliberative

Three horizontal black bars redacting content at the top of the page.

CC: EPA (Jason Brush)

V/R,

David J Castanon

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Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)
Date: Wednesday, February 05, 2014 2:31:00 PM

Can you confirm whether Dan Swenson might be able to join on the 12th? If not, we might ask that another member of the PDT for the Checklist be involved. Our hope is that the trip purpose can both be a technical working meeting first, followed by an executive meeting of the Colonel and Jared (and likely you and me). The goal would be asking the tech team to work through some areas of agreement and disagreement **B5 Deliberative**

[REDACTED] with a report out from staff and discussion between Jared and the Colonel following that. Jared has yet to approve this proposal, but does that sound good to you?

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Wednesday, February 05, 2014 11:54 AM
To: Brush, Jason
Subject: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Is Jared still planning to meet with Col. Colloton on the 12th at 1:00pm in the Corps' L.A. office (915 Wilshire)? **(b)(5) - deliberative**

[REDACTED]

Just want to confirm this is still on.

If so, will anyone be accompanying Jared?

Thanks,

David J Castanon

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Classification: UNCLASSIFIED
Caveats: NONE

From: [Castanon, David J SPL](#)
To: [Brush, Jason](#)
Subject: RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)
Date: Wednesday, February 05, 2014 3:44:21 PM

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

I just re-read your message and think I may have initially misinterpreted it. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

If I misunderstood your message initially, my apologies. Just working too fast on too many things at once.

If I now DO understand you correctly, yes, I think we could do what you suggest. Would you be in L.A. that day with Jared, or will you participate by phone?

David J Castanon

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From: Castanon, David J SPL
Sent: Wednesday, February 05, 2014 3:34 PM
To: Brush, Jason
Subject: RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

th

Marjorie would be the appropriate staff person to participate in the meeting on the 12th if there will be any discussions about specifics of this project.

(b)(5) - deliberative



At present, I would suspect the participants on the 12th would be COL Colloton, myself, and by phone, Sallie and Marjorie. There is a slight chance that COL Colloton's civilian deputy (David Van Dorpe) might also attend. Let me know once Jared decides who will participate from EPA.

David J Castanon

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Wednesday, February 05, 2014 2:31 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

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[REDACTED]
[REDACTED]
[REDACTED]

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Sent: Wednesday, February 05, 2014 11:54 AM
To: Brush, Jason
Subject: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Is Jared still planning to meet with Col. Colloton on the 12th at 1:00pm in the Corps' L.A. office (915 Wilshire)? (b) (5), (b)(5) - deliberative
[REDACTED]
[REDACTED]

Just want to confirm this is still on.

If so, will anyone be accompanying Jared?

Thanks,

David J Castanon

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U.S. Army Corps of Engineers, Los Angeles District
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From: [Brush, Jason](#)
To: [David J Castanon](#)
Bcc: [Leidy, Robert](#); [Goldmann, Elizabeth](#); [Diamond, Jane](#)
Subject: Re: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)
Date: Wednesday, February 05, 2014 5:57:51 PM

You got it right the second time. We'll have a proposed agenda for you by lunch time tomorrow.

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Wednesday, February 05, 2014 3:44:35 PM
To: Brush, Jason
Subject: RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

I just re-read your message and think I may have initially misinterpreted it [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

If I misunderstood your message initially, my apologies. Just working too fast on too many things at once.

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Classification: UNCLASSIFIED

Caveats: NONE

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(b)(5) - deliberative
[Redacted text block]

[Redacted text block]

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To: Castanon, David J SPL

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Sent: Wednesday, February 05, 2014 11:54 AM

To: Brush, Jason

Subject: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

Is Jared still planning to meet with Col. Colloton on the 12th at 1:00pm in the Corps' L.A. office (915 Wilshire)? **(b)(5) - deliberative**

Just want to confirm this is still on.

If so, will anyone be accompanying Jared?

Thanks,

David J Castanon

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Caveats: NONE

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Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Cc: [Goldmann, Elizabeth](#); [Diamond, Jane](#); [Leidy, Robert](#)
Subject: RE: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)
Date: Wednesday, February 05, 2014 2:04:00 PM

Hi Dave – Jane is meeting with Jared this afternoon on several topics including this, and we've given her some ideas. We'll have a short proposed agenda to send your way either COB today or early tomorrow. He's traveling for Administrator McCarthy's trip to LA so we're tentatively thinking a one-hour slot (perhaps 2:00-3:00) for him and the Colonel. Her secretary told him that she's holding 1-3 for him as of this morning. -Jason

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Wednesday, February 05, 2014 11:54 AM
To: Brush, Jason
Subject: Jared's Mtg with Col. Colloton on 12 Feb (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Is Jared still planning to meet with Col. Colloton on the 12th at 1:00pm in the Corps' L.A. office (915 Wilshire)? (b)(5) - deliberative

[REDACTED]

Just want to confirm this is still on.

If so, will anyone be accompanying Jared?

Thanks,

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Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [David J Castanon](#)
Subject: Re: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)
Date: Monday, February 10, 2014 11:34:48 AM

I think I forgot to put on out-of-office message. I'm in mgrs retreat today and tomorrow (Amato acting), so limited abilities to communicate before Wed. Agreed we won't fly Rob down under circumstances, and a short caucus prior to executives' meeting probably makes sense. Jared and I could call Rob while we're en route from the airport; he and I are flying together and getting in around 12.

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Monday, February 10, 2014 10:04:12 AM
To: Brush, Jason
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Sorry about the confusion regarding travel plans. I hadn't intended to have Marjorie or Sallie fly out for this. Also, the Corps has severe travel budget cuts this year. I suggest we have the staff meeting by phone to save scarce travel funds for both agencies. Only question is how we have the report-out of the staff meeting during the afternoon executive meeting. We will have Marjorie in the afternoon meeting so she can report out. Would you want some time to caucus with your staff prior to 1330? We can provide you a room for that call if needed.

I'll get back to you on your other comments shortly.

David J Castanon

Chief, Regulatory Division
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915 Wilshire Blvd
Los Angeles, CA 90017

From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Friday, February 07, 2014 6:43 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

See {comments} below.

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Friday, February 07, 2014 5:09 PM
To: Brush, Jason
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Thanks for the suggested agenda.

For the morning session, Col. Colloton and I have a meeting that morning so I would like to start at 11:00. I (b)(5) - deliberative

[REDACTED]

[REDACTED]

We have a small café in the lobby and we can maybe order and pay for sandwiches at the beginning of the meeting and I'll have someone on our staff go pick those items up.

(b)(5) - deliberative
[REDACTED]

(b)(5) - deliberative

For the afternoon session I would include Marjorie Blaine and Sallie Diebolt as attendees by phone.

{That would seem to suggest Marjorie would not be travelling for the morning working session either? If that's the case, AND Marjorie is the only SPL staff EPA is allowed to engage with, it appears there is little point to flying any of our staff down just to speak with her by phone.}

The first two items are fine.

(b) (5)

David J Castanon

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Thursday, February 06, 2014 4:46 PM

To: Castanon, David J SPL

Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy; Leidy, Robert; Goldmann, Elizabeth; Sumner, Rich

Subject: [EXTERNAL] Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00)

Hi Dave – Sorry to be later than I promised, but I was called away this afternoon. Here is our suggestion for how to structure the meeting in LA on the 12th. -Jason

1030 – 1330

Staff technical working session – **B5 Deliberative**

Desired participants: **EPA – Leidy, Goldmann (phone), Sumner (phone) Corps – Blaine, Swenson (or other PDT member)**

**Read-ahead materials: EPA white paper and Guide/Q&A for Corps Mitigation Ratio Checklist*

1. (1030 – 1035) Introductions, review meeting objectives
2. (1035 – 1055) Review and confirmation of direct and indirect impacts to WUS
B5 Deliberative
3. (1055 – 1115) Presentation and discussion of EPA’s short white paper – “Review of Aquatic Resource Impacts and Mitigation Needs for Large Scale Projects” (Sumner)
4. (1115 – 1130) Presentation and discussion of SPD’s QMS 12501 (SOP for Determination of Mitigation Ratios) (Swenson)
5. (1130 – 1200) Pick up and bring in lunch
6. (1200 – 1330) Group exercise: Discuss shared regs on watershed approach, and develop conceptual principles for SOP application to large projects.

1330 – 1500

Executive discussion – **B5 Deliberative**

Desired participants: Above staff for work-session report-out, plus EPA – **RA Blumenfeld, Diamond (phone), Brush; Corps – Colonel Colloton, Castanon**

1. (1330 – 1335) Introductions, review meeting objectives
2. (1335 - 1400) Share results from January field meetings
3. (1400 - 1425) Staff report-out on working session re: principles for mitigation character and scaling at RM
4. (1425 - 1455) Summarize areas of agreement/disagreement and discuss path forward (e.g., deadlines for final mitigation package)
5. (1455 - 1500) Wrap up and adjourn

“Staff report-out on working session (discussions on direct/indirect effects, mitigation for large scale projects, Corps process for determining mitigation ratios, and watershed approach).

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Bcc: [Goldmann, Elizabeth](#); [Leidy, Robert](#); [Reilly O'Neal](#); [Diamond, Jane](#)
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)
Date: Friday, February 07, 2014 6:42:00 PM
Attachments: [Large project risk review Jan6.docx](#)

See {comments} below.

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Friday, February 07, 2014 5:09 PM
To: Brush, Jason
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[REDACTED]

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Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [David J Castanon](#)
Bcc: [Diamond, Jane](#); [Kaiser, Russell](#); [Evans, David](#); [Miller, Clay](#); [Leidy, Robert](#); [Goldmann, Elizabeth](#); [Amato, Paul](#)
Subject: Re: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)
Date: Tuesday, February 11, 2014 8:29:45 AM

Thanks. We appreciate being heard out. And we share your primary objective of driving the permit evaluation process forward to conclusion as efficiently as possible.

However, I doubt any of the principles we might agree on would really be "new." For example, the proposals that were floated at Pantano---lots of credit for upland buffer and a translation of a stream network to one small parcel with a broad drainage---are not consistent with well established Corps principles and guidance.

Given the applicant is actually not very far along in the mitigation process (Corps has agreed the only site on the table is insufficient on it's own), given they're seeking guidance from EPA, and given that a CEQ referral and 404q elevation are pending, I'm not sure that it would be "unfair" to the applicant, as you say, to proceed as EPA has suggested. The most "efficient path to conclusion" is collaborative.

Jason

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Monday, February 10, 2014 5:49:47 PM
To: Brush, Jason; Amato, Paul; Amato, Paul
Cc: Diebolt, Sallie SPL
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

I have asked Sallie to coordinate with Rob on logistics for the staff level conference call on Wednesday morning. Sallie and Marjorie would participate from the Corps end. I won't be on that call. I only asked that they end that discussion by 1300 with a joint list of areas of agreement and disagreement so that you and I would have time to connect with our staffs to review that list and discuss how their meeting went.

Sallie was part of the team that developed the mitigation ratio checklist, so we have that covered. I don't want to pull Dan off of other work he is focused on right now. The Corps is willing to hear EPA's concerns and suggestions, but we also recognize that we are very far along in the permit evaluation process and we have already communicated expectations to the applicant for developing mitigation plans. It would not be fair to significantly change the how we have been planning to address mitigation at this late date. So the notion of developing new conceptual principles for

addressing mitigation for large projects and applying them to Rosemont is of concern. Nonetheless, we will hear out EPAs suggestions.

Though I would prefer to not have (or to narrow) areas of disagreement between COE and EPA, my primary objective is to drive the permit evaluation process forward to a conclusion as efficiently as possible. By that, I in no way mean to imply we have already decided to grant a permit.

Thanks,

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

David.J.Castanon@usace.army.mil

☎ (213) 452-3406 Office

☎ (805) 358-9850 Cell

From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Monday, February 10, 2014 11:35 AM
To: Castanon, David J SPL
Subject: [EXTERNAL] Re: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

I think I forgot to put on out-of-office message. I'm in mgrs retreat today and tomorrow (Amato acting), so limited abilities to communicate before Wed. Agreed we won't fly Rob down under circumstances, and a short caucus prior to executives' meeting probably makes sense. Jared and I could call Rob while we're en route from the airport; he and I are flying together and getting in around 12.

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Monday, February 10, 2014 10:04:12 AM
To: Brush, Jason
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Sorry about the confusion regarding travel plans. I hadn't intended to have Marjorie or Sallie fly out for this. Also, the Corps has severe travel budget cuts this year. I suggest we have the staff meeting by phone to save scarce travel funds for both agencies. Only question is how we have the

report-out of the staff meeting during the afternoon executive meeting. We will have Marjorie in the afternoon meeting so she can report out. Would you want some time to caucus with your staff prior to 1330? We can provide you a room for that call if needed.

I'll get back to you on your other comments shortly.

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Friday, February 07, 2014 6:43 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

See {comments} below.

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Friday, February 07, 2014 5:09 PM
To: Brush, Jason
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Thanks for the suggested agenda.

For the morning session, Col. Colloton and I have a meeting that morning so I would like to start at 11:00. (b)(5) - deliberative

[REDACTED]

[REDACTED]

(b)(5) - deliberative

We have a small café in the lobby and we can maybe order and pay for sandwiches at the beginning of the meeting and I'll have someone on our staff go pick those items up.

(b)(5) - deliberative

For the afternoon session I would include Marjorie Blaine and Sallie Diebolt as attendees by phone.

{That would seem to suggest Marjorie would not be travelling for the morning working session either? If that's the case, AND Marjorie is the only SPL staff EPA is allowed to engage with, it appears there is little point to flying any of our staff down just to speak with her by phone.}

The first two items are fine.

David J Castanon

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http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Thursday, February 06, 2014 4:46 PM

To: Castanon, David J SPL

Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy; Leidy, Robert; Goldmann, Elizabeth; Sumner, Rich

Subject: [EXTERNAL] Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00)

Hi Dave – Sorry to be later than I promised, but I was called away this afternoon. Here is our suggestion for how to structure the meeting in LA on the 12th. -Jason

1030 – 1330

Staff technical working session – **B5 Deliberative**

[REDACTED]

Desired participants: **EPA – Leidy, Goldmann (phone), Sumner (phone) Corps – Blaine, Swenson (or other PDT member)**

**Read-ahead materials: EPA white paper and Guide/Q&A for Corps Mitigation Ratio Checklist*

1. (1030 – 1035) Introductions, review meeting objectives
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B5 Deliberative
3. (1055 – 1115) Presentation and discussion of EPA's short white paper – "Review of Aquatic Resource Impacts and Mitigation Needs for Large Scale Projects" (Sumner)
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5. (1130 – 1200) Pick up and bring in lunch
6. (1200 – 1330) Group exercise: Discuss shared regs on watershed approach, and develop conceptual principles for SOP application to large projects.

1330 – 1500

Executive discussion – **B5 Deliberative**

[REDACTED]

Desired participants: Above staff for work-session report-out, plus EPA – **RA Blumenfeld, Diamond (phone), Brush; Corps – Colonel Colloton, Castanon**

1. (1330 – 1335) Introductions, review meeting objectives
2. (1335 - 1400) Share results from January field meetings
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4. (1425 - 1455) Summarize areas of agreement/disagreement and discuss path forward (e.g., deadlines for final mitigation package)
5. (1455 - 1500) Wrap up and adjourn

“Staff report-out on working session (discussions on direct/indirect effects, mitigation for large scale projects, Corps process for determining mitigation ratios, and watershed approach).

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Castanon, David J SPL](#)
To: [Brush, Jason](#)
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)
Date: Monday, February 10, 2014 10:04:22 AM

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Sorry about the confusion regarding travel plans. I hadn't intended to have Marjorie or Sallie fly out for this. Also, the Corps has severe travel budget cuts this year. I suggest we have the staff meeting by phone to save scarce travel funds for both agencies. Only question is how we have the report-out of the staff meeting during the afternoon executive meeting. We will have Marjorie in the afternoon meeting so she can report out. Would you want some time to caucus with your staff prior to 1330? We can provide you a room for that call if needed.

I'll get back to you on your other comments shortly.

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Friday, February 07, 2014 6:43 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

See {comments} below.

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Friday, February 07, 2014 5:09 PM
To: Brush, Jason
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

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Jason,

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For the morning session, Col. Colloton and I have a meeting that morning so I would like to

start at 11:00. (b)(5) - deliberative

[REDACTED]

[REDACTED]

We have a small café in the lobby and we can maybe order and pay for sandwiches at the beginning of the meeting and I'll have someone on our staff go pick those items up.

(b)(5) - deliberative

[REDACTED]

For the afternoon session I would include Marjorie Blaine and Sallie Diebolt as attendees by phone.

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The first two items are fine.

(b)(5) - deliberative

David J Castanon

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Thursday, February 06, 2014 4:46 PM

To: Castanon, David J SPL

Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy; Leidy, Robert; Goldmann, Elizabeth; Sumner, Rich

Subject: [EXTERNAL] Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00)

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Desired participants: **EPA – Leidy, Goldmann (phone), Sumner (phone) Corps – Blaine, Swenson (or other PDT member)**

**Read-ahead materials: EPA white paper and Guide/Q&A for Corps Mitigation Ratio Checklist*

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Desired participants: Above staff for work-session report-out, plus EPA – **RA Blumenfeld, Diamond (phone), Brush; Corps – Colonel Colloton, Castanon**

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“Staff report-out on working session (discussions on direct/indirect effects, mitigation for large scale projects, Corps process for determining mitigation ratios, and watershed approach).

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

From: [Castanon, David J SPL](#)
To: [Brush, Jason](#); [Amato, Paul](#); [Amato, Paul](#)
Cc: [Diebolt, Sallie SPL](#)
Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00)
(UNCLASSIFIED)
Date: Monday, February 10, 2014 5:49:54 PM

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

I have asked Sallie to coordinate with Rob on logistics for the staff level conference call on Wednesday morning. Sallie and Marjorie would participate from the Corps end. I won't be on that call. I only asked that they end that discussion by 1300 with a joint list of areas of agreement and disagreement so that you and I would have time to connect with our staffs to review that list and discuss how their meeting went.

Sallie was part of the team that developed the mitigation ratio checklist, so we have that covered. I don't want to pull Dan off of other work he is focused on right now. The Corps is willing to hear EPA's concerns and suggestions, but we also recognize that we are very far along in the permit evaluation process and we have already communicated expectations to the applicant for developing mitigation plans. It would not be fair to significantly change the how we have been planning to address mitigation at this late date. So the notion of developing new conceptual principles for addressing mitigation for large projects and applying them to Rosemont is of concern. Nonetheless, we will hear out EPAs suggestions.

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Thanks,

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From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Monday, February 10, 2014 11:35 AM
To: Castanon, David J SPL

Subject: [EXTERNAL] Re: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

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Sent: Monday, February 10, 2014 10:04:12 AM

To: Brush, Jason

Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

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U.S. Army Corps of Engineers, Los Angeles District

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Los Angeles, CA 90017

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Sent: Friday, February 07, 2014 6:43 PM

To: Castanon, David J SPL

Subject: [EXTERNAL] RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00) (UNCLASSIFIED)

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To: Brush, Jason

Subject: RE: Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA

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Classification: UNCLASSIFIED
Caveats: NONE

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[REDACTED]

[REDACTED]

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(b)(5) - deliberative

David J Castanon

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Thursday, February 06, 2014 4:46 PM

To: Castanon, David J SPL

Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy; Leidy, Robert; Goldmann, Elizabeth; Sumner, Rich

Subject: [EXTERNAL] Proposed agenda for Corps-EPA meeting in LA on 2/12, incl. 90 minutes for RA and DE (1:30-3:00)

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1030 – 1330

Staff technical working session – B5 Deliberative

Mitigation Approach

Desired participants: **EPA – Leidy, Goldmann (phone), Sumner (phone) Corps – Blaine, Swenson (or other PDT member)**

**Read-ahead materials: EPA white paper and Guide/Q&A for Corps Mitigation Ratio Checklist*

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“Staff report-out on working session (discussions on direct/indirect effects, mitigation for large scale projects, Corps process for determining mitigation ratios, and watershed approach).

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

From: [Brush, Jason](#)
To: [Blaine, Marjorie E SPL](#); "[jupchurch01@fs.fed.us](#)"
Cc: [Castanon, David J SPL](#)
Subject: Re: Proposed Rosemont Letter and Technical Memo (UNCLASSIFIED)
Date: Thursday, April 17, 2014 10:12:59 AM

Thanks Marjorie.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Blaine, Marjorie E SPL
Sent: Thursday, April 17, 2014 9:17 AM
To: Brush, Jason; 'jupchurch01@fs.fed.us'
Subject: Fw: Proposed Rosemont Letter and Technical Memo (UNCLASSIFIED)

Fyi. Hard copies in the mail to you both.

Marjorie Blaine
Senior Regulatory Project Manager
Message sent from my Blackberry

----- Original Message -----

From: Mack, Juanita SPL
Sent: Wednesday, April 16, 2014 02:15 PM
To: rpacer@rosemontcopper.com <rpacer@rosemontcopper.com>
Cc: Blaine, Marjorie E SPL
Subject: Proposed Rosemont Letter and Technical Memo (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Mr. Pace,

Please see attached letter and Technical memorandum dated April 16, 2014. If you have any questions please contact Marjorie Blaine.

Thank you,

Juanita Mack
Regulatory Assistant
Regulatory Division - CESPL-RG
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd, Los Angeles, CA 90017
Ph-(213) 452-3408

Classification: UNCLASSIFIED
Caveats: NONE

From: [Castanon, David J SPL](#)
To: [Blaine, Marjorie E SPL](#); [Brush, Jason](#); [Diebolt, Sallie SPL](#)
Subject: RE: Rosemont (UNCLASSIFIED)
Date: Friday, February 28, 2014 1:50:16 PM

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Sorry for my delay in responding. Been out sick all week until now.

I appreciate the notice of these requests and your suggestion that the Corps participate. Yes, we would like to be in those meetings, but we would have to do so by phone. Marjorie would be our first choice given her greater knowledge of the details of this project. Sallie or I could stand in if Marjorie weren't available.

Thanks,

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

David.J.Castanon@usace.army mil
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http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

-----Original Message-----

From: Blaine, Marjorie E SPL
Sent: Friday, February 28, 2014 12:22 PM
To: Brush, Jason; Castanon, David J SPL; Diebolt, Sallie SPL
Subject: RE: Rosemont (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I would be available.

Marjorie

Assist us in better serving you.

You are invited to complete our customer survey, located at the following link:
http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Rosemont Letter (UNCLASSIFIED)
Date: Monday, March 03, 2014 12:36:00 PM

Thanks. Any reaction from RM?

-----Original Message-----

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Sunday, March 02, 2014 5:27 PM
To: Brush, Jason
Subject: Rosemont Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

Colonel's letter was signed Friday and electronically delivered to the applicant the same day.

Dave

-----Original Message-----

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Wednesday, February 26, 2014 11:38 AM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Lake Havasu Airpark permit info (UNCLASSIFIED)

(b)(5) - deliberative

-----Original Message-----

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Wednesday, February 26, 2014 11:22 AM
To: Brush, Jason
Subject: RE: Lake Havasu Airpark permit info (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

non responsive

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

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From: [Brush, Jason](#)
To: [David J Castanon](#)
Subject: Re: Rosemont Letter (UNCLASSIFIED)
Date: Thursday, March 06, 2014 10:13:33 AM

Yes, got from MB first, thanks.

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Thursday, March 06, 2014 9:02:27 AM
To: Brush, Jason
Subject: RE: Rosemont Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Yes, it was sent out by Horst yesterday. Did you get it?

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
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-----Original Message-----

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Monday, March 03, 2014 12:37 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Rosemont Letter (UNCLASSIFIED)

Thanks. Any reaction from RM?

-----Original Message-----

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Sunday, March 02, 2014 5:27 PM
To: Brush, Jason
Subject: Rosemont Letter (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

Colonel's letter was signed Friday and electronically delivered to the applicant the same day.

Dave

From: [Brush, Jason](#)
To: [Blaine, Marjorie E SPL](#)
Cc: [Goldmann, Elizabeth](#); [Leidy, Robert](#)
Bcc: [Jessop, Carter](#); [Goforth, Kathleen](#)
Subject: RE: Rosemont Mitigation (UNCLASSIFIED)
Date: Wednesday, March 26, 2014 5:27:00 PM

Thank you, Marjorie. Do you know if the Colonel has cleared any time that first week in April for the personal presentation they asked for, and/or whether they have reached out to SPD yet for same?

Jason A. Brush
Supervisor, Wetlands Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street (WTR-8)
San Francisco, CA 94105

~~~~~  
desk: 415.972.3483  
fax: 415.947.3537  
~~~~~

From: Blaine, Marjorie E SPL [mailto:Marjorie.E.Blaine@usace.army.mil]
Sent: Wednesday, March 26, 2014 5:04 PM
To: Castanon, David J SPL; Diebolt, Sallie SPL
Cc: Allen, Aaron O SPL; Macneil, Spencer D SPL; Goldmann, Elizabeth; Brush, Jason
Subject: Rosemont Mitigation (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Good afternoon:

I met with RM this morning including their primary consultant, WestLand Resources, and also present was Nate Bello from WRA representing Michael Josselyn.

I inquired as to whether RM intends to submit a draft plan for Corps/EPA review as I had anticipated one last Friday. Kathy Arnold stated RM has determined it will not be submitting any further drafts or conceptual written plans for Corps/EPA review. They believe that by doing that, it leaves the door open for continuous comments and changes being made and they wish to just provide the final mitigation plan on Tuesday, April 1. I confirmed this several times and told them that I believed their best interests were served in allowing a review of any draft/conceptual plans before the due date. They disagree and politely declined our offer for review.

Next Tuesday, they will load their final mitigation plan into a dropbox, will provide me with a hard copy, and will fedex hard copies to EPA and Ventura Field Office.

They did present a new conceptual plan for SCR which involved additional braids; the larger main channel will have an 8' wide pilot channel with a 3:1 slope within a wider "inundation" channel which appears to be an overbank area which will then be within a wider still floodplain type of channel. Smaller braids will have the same concept but with a 6' w pilot channel. The overflow channel will have a 4' wide pilot channel. They believe that their new plan will result in re-establishment of 40 ac of WUS.

Nate did indicate that, based on his site visit at SCR yesterday, he does not see degradation of the existing washes to the east on the hillsides and also agreed with me that there is likely very little enhancement which will occur by fencing; however, fencing the ag field area will result in more enhancement.

He also felt that, based upon his experience with SPL as well as SPN and SPK and the MRC, that we should separate the higher gradient/headwater washes in the project area from the lower gradient washes (Barrel Canyon, Wasp Canyon, McCleary Canyon) and run the MRC separately for these as he believes the higher gradient washes do not have the same functions. There are approx. 20 ac in each category. I believe their goal is to get to less required mitigation for the 40.4 ac by arguing that the higher gradient systems have less functions and, therefore, should be at a lower mitigation ratio.

Kathy indicated that they have put a bid on the property directly south of and contiguous to SCR for an additional 100 ac of land and potentially 20 ac of WUS which may also require some restoration. They should know by tomorrow if their offer is accepted, and if so, they will include their plans for the restoration in their mitigation plan.

For Fullerton, Nate (who did not visit the site) has identified some potential areas for restoration based on a site visit last week of WL biologists cataloging the site for areas of degradation.

(b)(5) - deliberative
[REDACTED]

So...nothing to review right now.

Marjorie

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)
Date: Tuesday, January 14, 2014 12:07:00 PM

Thanks – I'd asked that the RA's Special Assistant (Trina) handle directly with Colonel's office, and sounds like that's happening. -JB

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Tuesday, January 14, 2014 11:44 AM
To: Brush, Jason
Cc: Goldmann, Elizabeth
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason, I think the Colonel's secretary is in touch with Blumenfeld's office to finalize the itinerary.

As for the tribal meeting, it appears she will be able to get an earlier flight on the 28th. So she and I are available from 3:00 to 5:00 for the tribal meeting somewhere in the Tucson area.

*David Castanon
Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District*

(805) 585-2141

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http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Friday, January 10, 2014 11:34 AM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Ok, thanks. Looking for efficiencies. -JB

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Friday, January 10, 2014 11:26 AM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason, Col. Colloton is not available on the evening of the 28th as we have that time reserved for her to have dinner with Corps staff and receive a pre-brief on the Rosemont issues.

I will check to see if she can arrive earlier in the day on the 28th than she is currently planning. I'll let you know.

David Castanon

Chief, Regulatory Division

U.S. Army Corps of Engineers, Los Angeles District

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Friday, January 10, 2014 10:25 AM

To: Castanon, David J SPL

Subject: [EXTERNAL] Re: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Would it be possible in concept for Col. to meet us for late afternoon consult the evening before tour with tribe, followed by dinner with us? Or at least just the latter if she's arriving late?

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>

Sent: Thursday, January 09, 2014 9:54:44 PM

To: Brush, Jason

Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

I was lucky to finally get time set aside on Col. Colloton's calendar to come see the site. I have been trying for months. The applicant, too, has been anxious for some time to meet with her. So I doubt we will be able to change the amount of time she will have to see the site, meet the applicant, and see SCR. This was her trip with Corps staff originally. Since then, EPA asked to participate, and that was OK and if a tribal meeting can be added that day, perhaps that would work too, but the next day is completely full for her on non-regulatory business visits/meetings.

The applicant, thinking Col. Colloton may be meeting with Pima County has asked, in fairness that she meet with various business interests from the area who are in support of the mine. We have told the applicant that she will not be meeting with Huckleberry concerning Rosemont and that she does not have time to add meetings

with pro-mine business interests.

Too many interests on all sides trying to get face time with her and she simply won't have that much time, at least on this visit.

I am planning to be on the CEQ call Friday.

David Castanon
Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Thursday, January 09, 2014 4:51 PM
To: Castanon, David J SPL
Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy
Subject: [EXTERNAL] Rosemont tour and Col. Colloton's schedule with TON tribe

Hi Dave - Thanks for your vm regarding tribal consultation, and sorry I wasn't able to reach you back by phone. It's a shame the Colonel only has the 29th as we think it would be most valuable for her and Jared to have the time together seeing areas likely to be impacted (Empire Gulch and the BLM NCA). Probably not doable to do all that, see the mine, consult with the tribe, and see Sonoita in one day.

(b)(5) - deliberative
[Redacted text block]

[Redacted text block]

Will you not be on the CEQ call tomorrow?

Jason A. Brush
Supervisor, Wetlands Office
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street (WTR-8)
San Francisco, CA 94105

~~~~~  
desk: 415.972.3483  
fax: 415.947.3537  
~~~~~

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [David J Castanon](#)
Bcc: [Leidy, Robert](#); [Goldmann, Elizabeth](#); [Goforth, Kathleen](#); [Kaiser, Russell](#); [Evans, David](#)
Subject: Re: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)
Date: Friday, January 10, 2014 8:48:09 AM

Thanks. We understand and appreciate that this is first and foremost the Corps' tour. Like you, we're trying to make most use of executives' limited time. I'm very pleased the Colonel and Jared and Jane will get the face time under any itinerary. We just think that from a 404 perspective, its better to see the impact areas with certainty (Empire) than a distant (time-consuming) trip to a mitigation parcel we had formerly agreed was not appropriate. Appreciate you touching base, and "see" you on the CEQ call today. -JB

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Thursday, January 09, 2014 9:54:44 PM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

I was lucky to finally get time set aside on Col. Colloton's calendar to come see the site. I have been trying for months. The applicant, too, has been anxious for some time to meet with her. So I doubt we will be able to change the amount of time she will have to see the site, meet the applicant, and see SCR. This was her trip with Corps staff originally. Since then, EPA asked to participate, and that was OK and if a tribal meeting can be added that day, perhaps that would work too, but the next day is completely full for her on non-regulatory business visits/meetings.

The applicant, thinking Col. Colloton may be meeting with Pima County has asked, in fairness that she meet with various business interests from the area who are in support of the mine. We have told the applicant that she will not be meeting with Huckleberry concerning Rosemont and that she does not have time to add meetings with pro-mine business interests.

Too many interests on all sides trying to get face time with her and she simply won't have that much time, at least on this visit.

I am planning to be on the CEQ call Friday.

*David Castanon
Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District*

From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Thursday, January 09, 2014 4:51 PM
To: Castanon, David J SPL

with the Colonel's office for Jan 21 .

I think Marjorie and Rob/Liz have exchanged some ideas in terms of recommending alterations of the itinerary proposed by the applicant. Given time and distances between sites, and several stakeholders to see (Pima, TON, etc), Jared has expressed an interest in having tribal consultation on the 28th. He will likely be signing a letter tomorrow to the tribe responding to their request for consultation.

Will you not be on the CEQ call tomorrow?

Jason A. Brush
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San Francisco, CA 94105

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desk: 415.972.3483  
fax: 415.947.3537  
~~~~~

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Cc: [Martynowicz, Trina](#); [Gaudario, Abigail](#)
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)
Date: Friday, January 10, 2014 11:48:00 AM

Working on it now. Nothing solid yet as we were hoping to sync with ACE. Likely TON offices in or around Tucson. Our AIR division also has a place-based person in Tucson, but I'm not sure of her access to meeting facilities. Can we put Colonel's secretary in touch directly with Jared's?

-----Original Message-----

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Friday, January 10, 2014 11:41 AM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

The Colonel's secretary is looking to see if there is flexibility in Col. Colloton's schedule to arrive earlier on the 28th. Is it possible the meeting with the tribe could be scheduled for the early afternoon? Does EPA have a tentative time and location set yet for the tribal meeting?

David Castanon
Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District

(805) 585-2141

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http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey

-----Original Message-----

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Friday, January 10, 2014 11:34 AM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Ok, thanks. Looking for efficiencies. -JB

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Friday, January 10, 2014 11:26 AM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason, Col. Colloton is not available on the evening of the 28th as we have that time reserved for her to have dinner with Corps staff and receive a pre-brief on the Rosemont issues.

I will check to see if she can arrive earlier in the day on the 28th than she is currently planning. I'll let you know.

David Castanon

Chief, Regulatory Division

U.S. Army Corps of Engineers, Los Angeles District

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]

Sent: Friday, January 10, 2014 10:25 AM

To: Castanon, David J SPL

Subject: [EXTERNAL] Re: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

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From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>

Sent: Thursday, January 09, 2014 9:54:44 PM

To: Brush, Jason

Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jason,

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I am planning to be on the CEQ call Friday.

David Castanon

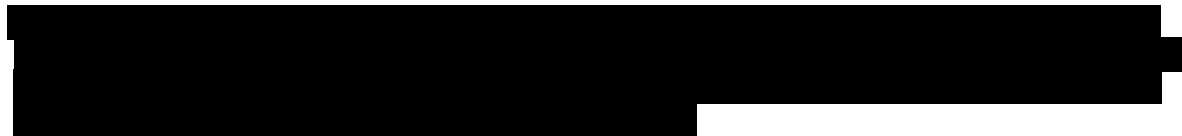
Chief, Regulatory Division

U.S. Army Corps of Engineers, Los Angeles District

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Thursday, January 09, 2014 4:51 PM
To: Castanon, David J SPL
Cc: Diamond, Jane; Martynowicz, Trina; Ryerson, Teddy
Subject: [EXTERNAL] Rosemont tour and Col. Colloton's schedule with TON tribe

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(b)(5) - deliberative



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Jason A. Brush
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San Francisco, CA 94105
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Classification: UNCLASSIFIED
Caveats: NONE

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Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)
Date: Friday, January 10, 2014 11:33:00 AM

Ok, thanks. Looking for efficiencies. -JB

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Friday, January 10, 2014 11:26 AM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

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David Castanon
Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District

From: Brush, Jason [mailto:Brush.Jason@epa.gov]
Sent: Friday, January 10, 2014 10:25 AM
To: Castanon, David J SPL
Subject: [EXTERNAL] Re: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

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From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Thursday, January 09, 2014 9:54:44 PM
To: Brush, Jason
Subject: RE: Rosemont tour and Col. Colloton's schedule with TON tribe (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

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Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Rosemont visit itinerary (UNCLASSIFIED)
Date: Wednesday, January 22, 2014 5:23:00 PM

Agreed. Any potential meetings with non-governmental stakeholders will be separate from mine tour and SCR. Horst and other DC folks are coming in on Monday night to have a full day Tues prior to the tribal meeting, so that's probably when that'll happen. Also appears FS and Horst have interest in convening a feds-only "wrap-up" discussion Thursday morning.

From: Castanon, David J SPL [mailto:David.J.Castanon@usace.army.mil]
Sent: Wednesday, January 22, 2014 4:34 PM
To: Brush, Jason
Subject: RE: Rosemont visit itinerary (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

The L.A. River issue is the Civil Works L.A. River Ecosystem Restoration Project (just an internal Corps mtg at HQ I think), not any regulatory issues.

Any EPA HQ folks are welcome to join us at SCR or at the mine site tour. As well as any other staff from other agencies involved in the CEQ calls regarding the referral process, but we absolutely do not want other parties (County, NGOs, pro or anti project interests) to be part of those two stops. I'll forward your HQ folks' names to Marjorie for any updates to her itinerary.

Of course it is up to EPA whether they would like those outside interests to be part of the Empire Gulch visit or other meetings during the week.

Thanks,

David J Castanon

Chief, Regulatory Division
U.S. Army Corps of Engineers, Los Angeles District
915 Wilshire Blvd
Los Angeles, CA 90017

David.J.Castanon@usace.army.mil

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Wednesday, January 22, 2014 4:05 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] RE: Rosemont visit itinerary (UNCLASSIFIED)

What's the LA River thing? Civil works / City of LA revitalization stuff or a Regulatory Div angle?

DC folks are anxious to make reservations for Rosemont. We've just now rec'd Corps' planned itinerary from Marjorie, and our RA's office is working on reconciling them. At a glance, I think we're pretty well synced for the parts that overlap.

FYI, participants from EPA HQ do not appear on Marjorie's list, but will include the AA designee Ken Kopocis, as well as Susan Bromm (OECA – NEPA). It appears now that I may be going as well, but uncertain.

Jason A. Brush
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fax: 415.947.3537  
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From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Wednesday, January 22, 2014 3:51 PM
To: Brush, Jason
Subject: RE: Rosemont visit itinerary (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Yes, I am tracking the same. Hope L.A. River doesn't pull her away, but if it does, I, Sallie and Marjorie will still do the trip.

David J Castanon

Chief, Regulatory Division
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Los Angeles, CA 90017

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From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Wednesday, January 22, 2014 12:06 PM
To: Castanon, David J SPL
Subject: [EXTERNAL] Re: Rosemont visit itinerary (UNCLASSIFIED)

Jane tells me that the Col said she's interested in having dinner after all, getting in earlier to have your briefing before the tribal meet. That's great. She also said an LA River issue potentially draws all the planning into question for the Col...but that she'd let us know for sure NLT tomorrow (Th) morning. -JB

From: Brush, Jason
Sent: Wednesday, January 22, 2014 8:09:25 AM
To: David J Castanon
Subject: Re: Rosemont visit itinerary (UNCLASSIFIED)

Sounds right, thanks. As I said, Jared and the Col spoke yesterday and he does want to see SCR given the Corps focus on it.

From: Castanon, David J SPL <David.J.Castanon@usace.army.mil>
Sent: Tuesday, January 21, 2014 5:29:54 PM
To: Brush, Jason
Subject: Rosemont visit itinerary (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jason,

I heard from Marjorie today that she and Elizabeth have spoken about the itinerary and apparently it is confirmed that Jared does want to see Sonoita Creek Ranch (SCR).

So on the 29th, from 8:00 to 10:00, Col. Colloton and Corps staff will meet privately with the applicant while Jared goes to visit Empire Gulch area. Then both will meet up at SCR at 10:30.

After SCR, Col. Colloton and some EPA folks (including Jane Diamond) will go to tour the actual mine site.

Marjorie indicated that Elizabeth said she is still waiting on confirmation of the meeting with TON about whether and where the meeting will be on the 28th from

3:00 to 5:00.

David J Castanon

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Caveats: NONE

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Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

From: [Brush, Jason](#)
To: [Castanon, David J SPL](#)
Subject: RE: Waters of the US Rule text and website (UNCLASSIFIED)
Date: Wednesday, March 26, 2014 6:20:00 PM

It's official, I just wouldn't want to steal her thunder if she's doing her own outreach. If you haven't heard from her by April 1, I figure you're safe to offer your well-wishes.

Interesting news on the Rosemont front. Any update on coordination with SPD Commander, and whether Col. Colloton will be able to meet with Rosemont those first two weeks of April as they requested? I know you said you thought it unlikely with her schedule.

-Jason

-----Original Message-----

From: Castanon, David J SPL [<mailto:David.J.Castanon@usace.army.mil>]
Sent: Wednesday, March 26, 2014 5:28 PM
To: Brush, Jason
Subject: RE: Waters of the US Rule text and website (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Yes, interesting times.

Let me know if/when Mary's retirement becomes officially announced. I'd like to drop her a note before she leaves. I've worked with her off and on since I came to Regulatory back in (this is embarrassing) 1988.

David J Castanon

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-----Original Message-----

From: Brush, Jason [<mailto:Brush.Jason@epa.gov>]
Sent: Wednesday, March 26, 2014 5:04 PM
To: Castanon, David J SPL; Hicks, Jane M SPN; Jewell, Michael S SPK
Cc: Eakle, Wade L SPD
Subject: [EXTERNAL] RE: Waters of the US Rule text and website (UNCLASSIFIED)

Non-Responsive

